

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow. Claims 1-15 and 20-25 were pending in this application. Claims 1-15 and 20-24 have been allowed; Claim 25 has been rejected. With this Reply and Amendment, Claim 25 has been canceled without prejudice or disclaimer. Therefore, Claims 1-15 and 20-24 will be pending in this application upon entry of this Reply and Amendment.

Allowable Subject Matter

Applicant appreciates the indication by the Examiner on page 4 of the Office Action that Claims 1-15 and 20-24 are allowed. The Examiner provided the following statement of reasons for allowance:

The closest prior art of record is Ovshinsky et al. (US5,558,950) in view of Schäfer (GB2,026,761) and TW1 World Centre for Materials Joining Technology, "Laser Welding of Plastics (August 2000). However, none of the prior art of record disclose or suggest the limitation as required by independent claim 1 wherein a plastic sealing element is provided on the contract element, the sealing element comprising a supporting surface which lies flat against the housing wall at an interface and a second surface extending at substantially a right angle to the supporting surface; the supporting surface and the second surface of the sealing element in contact with the housing wall such that there is no open space between the sealing element and the housing wall, or the limitation as required by independent claim 20 wherein a plastic sealing element is coupled to the contact element, the sealing element provided in the at least one aperture of the housing wall such that there is no open space between the sealing element and the aperture of the housing wall, the sealing element comprising a supporting surface which lies flat against the housing wall at an interface and an adjacent surface extending at substantially a right angle to the supporting surface.

While Applicant agrees that allowed Claims 1-15 and 20-24 recite a combination of subject matter that is patentable over the cited references, Applicant does not necessarily agree with or acquiesce in the statement of reasons for allowance given by the Examiner. Moreover, Applicant notes that the recited subject matter as well as various other subject matter and/or combinations of subject matter may be patentable for other reasons than those given by the Examiner. Applicant expressly reserves the right to set forth additional and/or alternative reasons for patentability and/or allowance with the present Application or in any other future proceeding.

Claim Rejections – 35 U.S.C. § 103

In Section 4 of the Office Action, the Examiner rejected Claim 25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0203278 titled “Battery Module and Rechargeable Battery for Constituting the Battery Module” to Hamada et al. (“Hamada”) in view of the article “Laser Welding of Plastics (August 2000)” from TWI World Centre for Materials Joining Technology (“TWI”) as evidenced by GB Patent No. GB 2026761 titled “Accumulator Terminal Assemblies” to Schafer (“Schafer”).

With this Reply and Amendment, Applicant has canceled Claim 25 without prejudice or disclaimer. Accordingly, all pending claims are in condition for allowance.

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It is submitted that each outstanding objection and rejection to the Application has been overcome, and that the Application is in a condition for allowance. Applicant requests consideration and allowance of all pending claims.

It should also be noted that although the Applicant has only addressed certain claims or claimed features herein, other claims, features, or combinations of features may also be patentable for additional reasons. Further, the failure to address any statement by the Examiner should not be interpreted as acquiescence or agreement with such statement. Applicant expressly reserves the right to rebut any statement presented by the Examiner and to set forth additional and/or alternative reasons for patentability during prosecution of the present Application or in any other future proceeding. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of

papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R.
§ 1.136 and authorize payment of any such extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

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